

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:19-ct-3137-RN

MARGARET JEAN KELLY)
as Administratrix of the Estate of)
Graydon Jerome Parker, III,)
)
Plaintiff,)

v.)

WAYNE COUNTY, LAWRENCE M.)
PIERCE, JR., in his official capacity as)
Sheriff of Wayne County, WESTERN)
SURETY COMPANY, WILLIE D.)
SPARKS, in his individual capacity;)
RYAN A. NARRON, in his individual)
capacity, ANTHONY J. SANTAGATA,)
in his individual capacity, LEWIS A.)
GARNER, in his individual capacity,)
XAVIER D. LEE, in his individual)
capacity, BRENT A. WOODALL, in his)
individual capacity, JOSE F. ARIAS, in)
his individual capacity, ROBERT C.)
HINES, in his individual capacity,)
NATHANIEL A. NEAL, in his individual)
capacity, CHARLES S. GRAINGER, in)
his individual capacity, SOUTHERN)
HEALTH PARTNERS, INC., and)
CHRISTINA M. DRIVER, LPN,)
)
Defendants.)

**STIPULATION OF DISMISSAL
WITH PREJUDICE**

(Fed. R. Civ. P. 41(a)(1)(A)(ii))

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties hereby stipulate that all claims against Defendants Wayne County, Lawrence M. Pierce, Jr. in his official capacity as Sheriff of Wayne County, Western Surety Company, Charles S. Grainger, and Southern Health Partners, Inc. in this action are hereby dismissed with prejudice. There are no further claims pending in this action.

Respectfully submitted, this the 13th day of July, 2020.

/s/ Carlos E. Mahoney

Carlos E. Mahoney
N.C. State Bar No. 26509
Glenn, Mills, Fisher & Mahoney, P.A.
P.O. Drawer 3865
Durham, NC 27702
cmahoney@gmfm-law.com
Counsel for Plaintiff

/s/ Matthew S. Sullivan

Matthew S. Sullivan
N.C. State Bar No. 22343
White & Allen, P.A.
P.O. Box 3169
Kinston, NC 28502
msullivan@whiteandallen.com
Counsel for Plaintiff

/s/ Scott C. Hart

Scott C. Hart
N.C. State Bar No. 19060
Ryan D. Eubanks
N.C. State Bar No. 53455
Sumrell, Sugg, Carmichael, Hicks
& Hart, P.A.
P.O. Drawer 889
New Bern, NC 28563
shart@nclawyers.com
reubanks@nclawyers.com
Counsel for Defendants Wayne County,
Sheriff Pierce, and Western Surety

/s/ Terence Steed

Terence Steed
N.C. State Bar No. 52809
Orlando L. Rodriguez
N.C. State Bar No. 43167
Assistant Attorneys General
N.C. Department of Justice
P.O. Box 629
Raleigh, NC 27602
tsteed@ncdoj.gov
orodriguez@ncdoj.gov
Counsel for Defendant Grainger

/s/ Dan M. Hartzog, Jr.

Dan M. Hartzog, Jr.
N.C. State Bar No. 35330
Katherine Barber-Jones
N.C. State Bar No. 44197
Hartzog Law Group, LLP
1903 N. Harrison Ave., Suite 200
Cary, NC 27513
dhartzogjr@hartzoglawgroup.com
Counsel for Defendants Sparks, Narron,
Santagata, Garner, Lee, Woodall, Arias,
Hines, and Neal

/s/ W. Gregory Merritt

W. Gregory Merritt
N.C. State Bar No. 23333
Christina J. Banfield
N.C. State Bar No. 52809
Harris, Creech, Ward & Blackerby, P.A.
P.O. Drawer 1168
New Bern, NC 28563
wgm@harriscreech.com
Counsel for Defendants Southern Health
Partners and Christina M. Driver, LPN

CERTIFICATE OF SERVICE

I, Carlos E. Mahoney, hereby certify that on July 13, 2020, I electronically filed the foregoing document entitled, **Stipulation of Dismissal with Prejudice**, with the Clerk of Court for the Eastern District of North Carolina using the CM/ECF system which will give notice of the filing to the following counsel of record.

Scott C. Hart
Ryan D. Eubanks
Sumrell, Sugg, Carmichael, Hicks
& Hart, P.A.
P.O. Drawer 889
New Bern, NC 28563
shart@nclawyers.com
reubanks@nclawyers.com
Counsel for Defendants Wayne County,
Sheriff Pierce, and Western Surety

Dan M. Hartzog, Jr.
Katherine Barber-Jones
Hartzog Law Group, LLP
1903 N. Harrison Ave., Suite 200
Cary, NC 27513
dhartzogjr@hartzoglawgroup.com
Counsel for Defendants Sparks, Narron,
Santagata, Garner, Lee, Woodall, Arias,
Hines, and Neal

Matthew S. Sullivan
White & Allen, P.A.
P.O. Box 3169
Kinston, NC 28502
msullivan@whiteandallen.com
Counsel for Plaintiff

Terence Steed
Orlando L. Rodriguez
Assistant Attorneys General
N.C. Department of Justice
P.O. Box 629
Raleigh, NC 27602
tsteed@ncdoj.gov
orodriguez@ncdoj.gov
Counsel for Defendant Grainger

W. Gregory Merritt
Christina J. Banfield
Harris, Creech, Ward & Blackerby, P.A.
P.O. Drawer 1168
New Bern, NC 28563
wgm@harriscreech.com
Counsel for Defendants Southern Health
Partners and Christina M. Driver, LPN

/s/ Carlos E. Mahoney
Carlos E. Mahoney
Glenn, Mills, Fisher & Mahoney, P.A.
P.O. Drawer 3865
Durham, NC 27702
Telephone: (919) 683-2135
Facsimile: (919) 688-9339
cmahoney@gmfm-law.com
N.C. State Bar No. 26509
Counsel for Plaintiff